

**CITY OF TAKOMA PARK, MARYLAND
(ADOPTED 1/10/05)**

**PRESENTATIONS, REGULAR MEETING, WORKSESSION & BUDGET
WORKSESSION
OF THE CITY COUNCIL**

Monday, April 12, 2004

OFFICIALS PRESENT:

Mayor Porter
Councilmember Austin-Lane
Councilmember Barry
Councilmember Elrich
Councilmember Mizeur
Councilmember Seamens
Councilmember Williams

City Manager Finn
City Clerk / Treasurer Waters
Communications Manager Moffet
Recreation Director Haiduven

The Council convened at 7:35 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

COUNCIL COMMENTS

Councilmember Williams announced that there were two awards the City received at the Council of Governments (COG) conference last Wednesday. The first was the "Certificate for Outstanding Efforts in Energy Resource Management and Commitments to Energy Efficiency." The second was the certificate from WindCurrent for renewable energy use (wind energy for 100% of use in municipal buildings). We are the only municipal government with a commitment at this level of wind energy usage. He will leave plaques for display in the municipal building.

Mayor Porter said she has been polling the Council about an additional meeting, and it appears there is a quorum to hold another meeting. The next couple of meetings are largely devoted to community center and budget. At the last meeting of the City Manager Selection Committee, Mr. Mercer made the suggestion that the Council hold a special meeting to discuss how the City will conduct the final interview process. It will be an open meeting on April 20. It will be more informal, even than a Worksession. It will be for the Council to work out how to conduct the remaining part of the process. All are invited to attend.

ADDITIONAL AGENDA ITEMS

None.

ADOPTION OF MINUTES

None.

PUBLIC COMMENT PERIOD

Paul Christowsky, Committee on the Environment, and Montgomery County Energy and Air Quality Advisory Committee reported that Montgomery County recently released its Air Quality document, evaluating the air quality in the County and recommending strategies. This is a problem that has been around for a while and continues to be a problem. We have already taken some steps in the City to cut down on ozone emissions. One strategy is to increase the air quality monitoring stations. Reduce emissions from services stations, point stations, County fleet, mobile services and green house emissions. Other strategies include efforts to increase the canopy and to reduce emissions from small gas powered appliances and equipment. He distributed a copy of the report to the Council.

Carol Goter-Robinson, representative of Electric Maid invited the community to the opening gala beginning at 3:00 p.m. this Sunday. They have space available for a variety of community groups to meet. Contact her at 301-270-8057.

Councilmember Seamens congratulated her and Brian on reaching this point. They are now at the point of providing services that were part of Brian's dream a number of years ago.

Councilmember Austin-Lane encouraged them to bring themselves to the attention of the Old Town Business Association (OTBA).

Catherine Tunis, Chair of Committee on the Environment reminded the Council that it will be Arbor Day on Saturday this weekend. There will be a number of seedlings available to the public. There will be a number of interest groups represented at the event, including an appearance by Woodsie the Owl. She asked people to bring T-shirts to print. There will be a Prius on display. The event will be on the side-lawn of Library on Saturday from 10:00am to 3:00 pm.

PRESENTATIONS

1. Councilmember Mr. Williams' Update on the Community Center Construction Project.

Mr. Williams reviewed the contents of the packet he prepared. He briefly commented on each of the items noted. He remarked about job site progress. He commented on the potential change

order listing (also, called a possible change order list). He referred to the history of alternates for the project. The alternates were grouped into selections that were then bid upon. Some were later deleted from the bid process. He noted that the existing elevator in the building would continue to function. The one deleted from the bid process would have been an additional elevator. He identified the other items on the deletion list. He explained the groupings of the alternates and the bid prices. Mr. Williams remarked about the details of the items that were value engineered. He noted that there is a page missing from this list and said he will provide the second page for the Council/public. He identified the three items that are on the second page, along with the items related to the gym. The total related to Phase I is \$180,000+. He suggested that the Mayor recap the intentions for discussions on April 19 and 26.

Ms. Porter summarized that on April 19 the Council will go over the remaining parts of the process. By then they should have a good sense of remaining monies coming from the State. It will be a larger overview discussion. On April 26, the Council will have to make a decision about how to deal with interior space. They hope to have some alternative bids for the same work at that time.

Mr. Williams said he is trying to get bids on office space for upstairs as well as alternative bids for the existing level.

Ms. Porter said that on April 26 the Council will have to make a decision about acceptance or rejection of the renovation of the upstairs level.

Mr. Seamens thanked Mr. Williams' for the information. He referred to the list of alternates and the bids, noting the shaded items.

Mr. Williams replied with a further explanation of the items in Phase I.

Mr. Seamens asked about renovation and parking.

Mr. Williams said that during Phase II, there will be parking in the rear of the building.

Mr. Seamens asked about the Board of Education and the storm drain issue.

Mr. Williams noted that originally the County was requiring that we install the storm drain in front of the school.

Mr. Seamens had a question about box culvert capacity.

City Manager Finn gave a response.

Councilmember Mizeur asked which of the alternates have we committed to.

Mr. Finn replied that they are the shaded items on the list.

Ms. Mizeur asked when the bids went out for the deleted alternates.

Mr. Finn stated that it was done last Spring.

Ms. Mizeur questioned her understanding that in the past year, we did not put out a bid for the plaza that was included in the original rendering.

Mr. Williams responded that he believes that is the case. It was once referred to as the “green roof.”

2. Presentation of Police Retirement Plan Actuarial Valuation.

Mr. Finn introduced Tom Lowman who will present the Actuarial Valuation report.

Tom Lowman explained the process of setting the contribution rate. In FY04 it was about 20.7% of pay (City’s cost). It is going up to 24% of pay. The ongoing concern is with disability rates. It looks like this trend may continue for the next year, as well. He referred to the cover letter. He skipped to page 5 and remarked about the trust fund. The fund grew. The market value of the plan did well (it increased \$425,000 in the last year). The investment assumption was 8%, which was exceeded for year. The accrued liability increased—some of which is expected. About half of the growth is attributable to disabilities and retirements. At the last pension meeting, there was a long discussion of this experience. They will be exploring options to address this concern. He noted the assumptions related to the plan. The interest rate is usually the most important assumption but with this plan, disability retirements are very important. He explained the percent of pay that is awarded at different service year retirements. He also noted the disability benefits. They will conduct this valuation every year. He anticipates that we will see the same disability effect next year.

Mr. Seamens expressed that the report is helpful. It might be helpful to the Council to have statistics about sick leave usage, disability claims, etc., related to our police department. He would also like some feedback from the Police Chief about how training might reduce future incidents of disabilities.

Ms. Porter mentioned that the committee is looking at ways to reduce disability claims and wonders if there might be a point in the budget discussion or shortly after, to take up the discussion about prevention. She is not as worried about sick leave usage. She wants to treat officers fairly but wants to look at ways to address the concern.

Mr. Finn said there is an issue before the committee. He noted that this is also a negotiated matter with the Police Union. We are pursuing this matter.

Ms. Porter said she is interested in whether there is something that we can do to reduce the numbers of disabilities.

Mr. Williams asked Mr. Lowman to talk generally, with view toward the long-term, about the effect of the unfunded liability of the State plan that we were previously enrolled in.

Mr. Lowman clarified that the burden will not go away any time soon. He recalled one of the other options that was explored when the City entered into its plan, noting that it could have incurred a greater liability.

Mr. Williams confirmed that even with the unfunded liability, it did better than going with the other option.

Mr. Lowman commented on the impact of the disabilities and the impact on the pension loss. He noted the other side of this matter being a benefit to City's payroll.

Mr. Seamens restated his interest in the history of sick leave usage.

REGULAR MEETING

3. Resolution re: Nuclear Free Committee (NFZ) Appointments.

Moved by Williams; seconded by Elrich.

Ms. Austin-Lane asked whether there is a precedent for a person to be re-appointed without an interview.

Ms. Porter explained that the practice is to interview both new and re-appointed members. She did not think that the lapse between a reappointment term expiration date and reappointment is a problem. The Council could make a decision to re-discuss the reappointment process. However, she did not think it is inhibiting the operations of the NFZ Committee to have one member's formal status expired.

City Clerk / Treasurer Waters remarked about the previous Council discussion regarding the interview and appointment process.

Ms. Mizeur asked when the interview will be conducted in light of the scheduled budget discussions. Given the informal practice, do you believe that the expired member could continue to act on the committee?

Ms. Porter replied in the affirmative.

Resolution #2004-13 was adopted unanimously (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

RESOLUTION #2004-13

(Attached)

WORKSESSION

4. Takoma Park / Silver Spring Thunderbolts.

Edward Sharp, on behalf of the “Silver Spring Thunderbolts” reported that a few weeks ago, he made a presentation to the Council about re-establishing the partnership that existed last year with the City, to promote the team. We used the *Newsletter* last year and this year, he would also like to see something on the web page. It does not look like we will have Library grounds space to post a banner. He noted that they are not asking for City funds. They want publicity support.

Ms. Porter said she understands that there will be a working partnership.

Mr. Sharp thanked the Councilmembers for their individual support. We can go to the team’s web site and see the various ways to make contributions. They have a fairly active fundraising campaign to sell seat plaques.

Mr. Seamens thanked Mr. Sharp for his work in this regard. He appreciates the opportunities for the City to support low cost activities. He asked about athletic camps.

Mr. Sharp replied that there will be two camps this summer (July 6-9 and 12-16) for boys and girls ages 6-14 run by the former coach of the Thunderbolts. Information is available on the web page.

Mr. Seamens asked about the date of the opening game.

Mr. Sharp indicated that it is June 2 (Friday night).

Ms. Mizeur asked who will throw the first pitch.

Mr. Sharp responded that this is still being contemplated.

Ms. Mizeur suggested they might have people in the community make donations/contributions to auction the first pitch opportunity.

There was agreement on the Council to support this endorsement. (NOTE: Mr. Williams recused himself from the vote since he is a member of the Silver Spring Takoma Thunderbolts Board of Directors.)

5. Takoma-Langley Crossroads Development Authority (CDA).

Erwin Mack, Takoma-Langley Crossroads Development Authority expressed that it has been a pleasure to work with the City over the years. There has been a cooperative relationship. Whenever he reads about things happening in Old Town or the Junction, he thinks that he does not as often hear about things in CDA. He suggested that Councilmember Barry raise his flag higher and that Ms. Austin-Lane should lower hers for just a while.

Councilmember Elrich noted that those other areas are trying to get as well formed as the CDA and they find that they come before the Council more often.

Mr. Mack said they have made some accomplishments. He referred to a list of accomplishments between 1983-2003. Some things that people said could not be done were done. He described himself as responsibly persistent. He referred to a final sheet that was prepared for the Governor's representative, Karen Smith. He prepared a fact sheet on the CDA "The Takoma/Langley Crossroads is Where." He commented on a few of the points identified on the sheet, in particular the danger level of the intersection at University/New Hampshire and the death rates. We have a pedestrian safety committee that he has chaired for a number of years now. There is no formal structure, but people are able to talk about issues from different perspectives. It is an opportunity for collaboration across jurisdictions. He remarked that a significant number of the immigrants are unable to address the community in writing. They have reverted to cartoon-type illustrative materials to convey the dangers that face pedestrians. He commented on the CDA's contribution of \$10,000 (second year of a three-year commitment) toward a shared clean-up staff person; City Manager Finn also came up with the idea of a cost sharing venture for the Green Machine (\$10,000 spread over three years). This is our contribution to public good. He had hoped to make Holton Lane more of a community lane with street lamps and will persist with this request. He thanked staff for the beautiful job done by the City's gardener to establish the planted area in the vicinity of Holton Lane. Mr. Mack explained a number of the initiatives that have been identified and are being pursued by the CDA, and noted the upcoming meetings of the Commission on Crossroads Development. He requested a joint marketing venture for Old Town, Takoma Junction and the CDA. They should work together more collectively. He encouraged the Council to push the plans associated with the Purple Line discussions (MDOT Streetscape Program) and the transit center. He commented on the serious need for a sobering center in the area. He noted that the Dean of Montgomery College is interested in a store front for a center for adult education. Columbia Union College might also be a partner in this effort. The CDA area is the economic engine of the City. It is not pretty and never will be an "Old Town", but it is an economic center.

Ms. Porter said she can always count on Erwin to remind the City that it is our largest economic area. At a recent Maryland Municipal League meeting, they received a presentation that included comments about funding for projects in the CDA area. She has not recently heard where the County stands on the transit center, but can follow-up on that. She had heard the County Executive identify it as a high priority project.

Ms. Austin-Lane encouraged the Council to think about the market research notion. They should

do this for our residents. She talked about this with Ms. Mizeur. She would invite any suggestions from Mr. Mack about consultants to assist in this effort.

Mr. Seamens thanked Mr. Mack for this presentation. He Suggested that he speak with TPVFD Chief Jarboe about funding sources for pedestrian safety initiatives. With respect to the difficulty to disseminate information to the area's population, he encouraged Mr. Mack to work closely with the faith-based community to reach alternative language groups. In regard to the gateway flags, he wondered whether Mr. Mack is suggesting a variety of flags that identifies the international corridor.

Mr. Mack said they have the United States, Maryland State, Montgomery County and City flags. They would desire another flag that would be raised on a periodic basis, in a ceremony to recognize a country.

Mr. Elrich suggested a United Nations flag.

Ms. Mizeur thanked Mr. Mack for his presentation. She noted that she has worked closely with a community clinic in the corridor recently. The facility can now apply for federal grants. She would like to also get a letter from the CDA to support applications for grants.

Mr. Mack noted that Senator Kerry once purchased a mattress set from a business in the CDA.

Councilmember Barry commented on the respect that is conveyed in community conversations for Mr. Mack. He noted the very little business turnover in the CDA area. Recently, he became aware of a storage facility that is looking to develop in the area. What does the CDA do to encourage a diversity of businesses?

Mr. Mack said he has discussed this before with the property manager. He found that they do not have a lot of control because there are leasing agents with the higher authority.

Mr. Barry asked whether there is an opportunity to market the area more nation-wide as we begin to market the economic zone.

Mr. Mack acknowledged a very valid point.

Ms. Porter thanked him for his presentation, adding that she will follow-up on some of these things.

BREAK - The Council took a brief recess at 9:02 p.m. and then reconvened.

BUDGET WORKSESSION

6. Presentation of Potential Savings and Corresponding Reductions in Services (Recreation & Communications).

Communications

Communications Manager Moffet provided an overview of the potential service reductions identified for the Communications Department (Newsletter, Cable TV Operations, Web Site). She commented on the mission of the *Newsletter* and the journalistic contributions of Editor Bob Guldin.

Mr. Elrich asked about the budget for Cable.

Ms. Porter inquired whether we are spending anything beyond the receivable franchise fees for Cable operations.

Ms. Moffet clarified that the Cable portion of the division's budget will be \$142,000. She is going to attribute a portion of her time to administrative support for other areas covered by the communications operation. Cable activities are interwoven and involve more than one staff person and/or intern. She explained the costs associated with production of the "Snapshots" segments.

Ms. Porter observed the "Snapshots" segment has been very well received. She has heard very positive comments.

Ms. Moffet continued with comments about cable coverage of community festivals, Council meetings and other meetings that are carried live. She made further comments about potential savings related to web site services. We are in a transitional stage with web site postings; a lot of work is being done by the Clerk's Office. Assistant City Clerk Carpenter is doing a tremendous job managing the electronic package. She explained why it is difficult to break-out the potential savings related to specific activities, due to the overlap of resources within the communications office.

Ms. Austin-Lane questioned about the possible savings related to the web site services.

Ms. Moffet admitted it was a difficult analysis. They have \$77,000 in the proposed budget associated with staff time devoted to web site services.

Ms. Mizeur said that some of these savings may be realized if we do not get additional community center funds since part of the project includes cabling in the building.

Mr. Williams asked if there are alternatives for this funding.

Ms. Moffet said that it is possible. The plan includes the conduit. She never expected that the community center funding would support the build-out of cable, but expected that the outlets

would be installed. It might make sense for her engineers to run the cable. She has some cable capital equipment monies in the special revenue budget. It may require that the Council will have to stay in this room (current Council Chambers) longer than originally anticipated.

Ms. Porter confirmed that the cable set-up will be maintained in this room.

Ms. Moffet stated that there will be other activities that will continue to take place in this room, as well.

Ms. Porter said, in terms of cable reductions, she used to hear a lot of complaints about our channel, but that the quality of the programming has very much improved. She does believe that people feel that the money we are putting into it is worth it. She commended Ms. Moffet for her efforts to make the channel more of a value to the community.

Ms. Moffet thanked Ms. Porter for her remarks, adding that she does believe that the channel is an asset to the community.

Recreation

Recreation Director Haiduven said that the Recreation Department is one of the few departments that charge for programs/services and generates revenues. She commented on the mission of the outreach division and the potential savings due to elimination of programs. She explained the County's contribution to the Takoma Park Recreation Center (\$100,000), commenting on how she could reduce the hours of operation and experience cost savings.

Ms. Porter asked for clarification about the cost associated with reducing operation hours by two each day.

Ms. Haiduven responded.

Ms. Porter asked about membership costs.

Ms. Haiduven said they were \$40/half year and \$75/year. She could eliminate the Double Dutch Team. She remarked about the community programs and the field maintenance.

Ms. Porter said that when Council discussed the Public Works budget, the point was raised that the City maintains the ballfields in two City parks and whether that field maintenance could be added to the Recreation Department's agreement with the County.

Ms. Haiduven said she could put this maintenance under that agreement but cannot ensure that it would result in a savings.

Ms. Porter suggested that Ms. Haiduven discuss this option with Public Works and determine

whether there could be savings.

Ms. Haiduven remarked about the day camp, Friday swimming program. She commented on the addition of afternoon services. One item that is not mentioned in the handout are the efforts toward the senior citizen population in the City. Staff is still working to develop that program. It involves a part-time staff person year-round, and there are no charges to the seniors.

Ms. Porter said, in terms of dealing with the budget, we can either reduce costs or increase revenues. One of our best kept secrets are our low cost membership fees. We could increase revenues by better marketing memberships.

Ms. Haiduven admitted they could do more in that area. It is a small facility.

Ms. Porter asked whether it is at capacity.

Ms. Haiduven replied in the negative. At some point, staff needs to put forth the discussion about whether to raise fees. She noted that in the past, there were times set aside for particular groups (e.g., women only on jazzercise days). It is a delicate balance. For the next year, she will focus on marketing more classes.

Ms. Mizeur thanked Ms. Haiduven for her work. As with all departments, it is a difficult process. Was there any consideration given to increasing fees?

Ms. Haiduven said she will charge staff with the exploration of raising fees. She has done that with the after school program. It was raised to \$1,000 this year. That program is very close to breaking even. She thinks that Ms. Mizeur is right in the observation that at some level the department may reach the point where it is not serving the public appropriately. She has these philosophical discussions all the time with the staff. However, she wants to honor the Council's direction.

Ms. Porter reminded that some years ago, the Council gave the direction that adult programs should pay for themselves. Children and senior programs would be subsidized by the City.

Mr. Seamens thanked Ms. Haiduven for the work on this list. He noted that everything is about programs, except for field maintenance. He suggested to his colleagues that he feels different about the Recreation Department versus others. The Council should look toward fee structures and leave the programming issues to the director. The Council can provide guidelines to Ms. Haiduven and let her make decisions about how to meet the direction within the budget.

Ms. Porter also thanked Ms. Haiduven. Due to the upcoming agendas and the number of items that need to be addressed, there will be an additional meeting on Tuesday, April 20 to discuss the final selection process for the new City Manager.

ADJOURNMENT

The Council adjourned at 10:13 p.m.